

ORDINANCE NUMBER O- 19569 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 17 2007

AN ORDINANCE AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO CONSULTANT AGREEMENT WITH MALCOLM PIRNIE, INC. FOR THE ALVARADO WATER TREATMENT PLANT PHASE IV; AND TAKING RELATED ACTIONS.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his designee is authorized to execute a first amendment to Agreement Between the City of San Diego and Malcolm Pirnie, Inc. for Consulting Services for the Alvarado Water Treatment Plant Upgrade and Expansion Phase IV project [First Amendment], in the form on file in the office of the City Clerk as Document No. 00-19569, together with any reasonably necessary modifications or amendments thereto which do not increase agreement scope or cost and which the Mayor or duly authorized City representative shall deem necessary from time to time in order to carry out the purposes and intent of the agreement.

Section 2. That the City Auditor and Comptroller is authorized to transfer \$700,000 from CIP 73-261.4, Earl Thomas Reservoir, to CIP 73-261.3, Alvarado Water Treatment Plant Upgrade and Expansion Phase II (Phase IV Ozone Improvements).

Section 3. That the expenditure of \$99,887 from CIP 73-261.3, Alvarado Water Treatment Plant Upgrade and Expansion Phase II, is authorized solely and exclusively for the purposes of funding the First Amendment.

Section 4. That the expenditure of \$1,200,113 from CIP 73-261.3, Alvarado Water Treatment Plant Upgrade and Expansion Phase II (Phase IV Ozone Improvements), is authorized solely and exclusively for the purposes of funding the First Amendment.

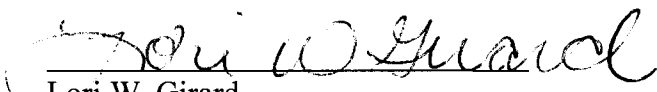
Section 5. That the City Auditor and Comptroller is authorized, upon advice from the administering Department, to transfer any excess budgeted funds to the appropriate reserves.

Section 6. That this activity is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines 15378(c). This activity is a subsequent discretionary approval covered under LDR 40-0259, Addendum to EIR No. 88-0459, Alvarado Water Filtration Plant Expansion and Rehabilitation. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review pursuant to CEQA Guidelines section 15162.

Section 7. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 8. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Lori W. Girard  
Deputy City Attorney

LWG:cla  
10/16/2006  
Or.Dept:Water  
Aud. Cert.: 2700274  
O-2007-42

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 09 2007.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1.17.07  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

**The City of San Diego**  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2700274  
 DEPT. \_\_\_\_\_  
 NO.: 760

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$700,000.00 Fund: 41500

Purpose: Authorizing the transfer and expenditure of funds from Alvarado WTP-Earl Thomas Reservoir CIP 73-261.4 for design support services in the Alvarado Water Treatment Plant Upgrade and Expansion Phase II & subphase Phase IV Ozone Improvements projects. CIP 73-261.3 & 73-262.1.

Date: October 9, 2006

By:   
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0	41500	760	391	4278	186420					\$700,000.00
002	0	41500	760	391040	4278	185007					\$99,887.00
003	0	41500	760	391020	4278	189032					500,113.00
TOTAL AMOUNT											\$1,300,000.00

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$1,300,000.00

Vendor: Malcolm Pirnie, Inc

Purpose: Authorizing the expenditure of funds for construction support services and design services in the Alvarado Water Treatment Plant Upgrade and Expansion Phase II & subphase Phase IV Ozone Improvements projects. CIP 73-261.3 & 73-262.1

Date: October 9, 2006

By:   
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0	41500	760	391040	4278	185007					\$99,887.00
002	0	41500	760	391020	4278	189032					1,200,113.00
TOTAL AMOUNT											\$1,300,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

Note: This contract/agreement is pending the approval of the request to transfer funds.

AC 2700274

**19569**

**JAN 09 2007**